

FOGLAND BEACH OVERSIGHT COMMITTEE

Regular Meeting Minutes 25 April 2007

Members present: T. Ramotowski (Chairman, Conservation Commission), J. Cook (Recreation Commission), M. Van Hof (Open Space Commission), D. Merriman (Neighborhood Representative), D. Webster (Director of Public Works) and G. Steckman (Town Administrator, arrived 5:16).

Members absent: S. Carr (Harbor Commission).

Also present: R. Elder.

Chairman Ramotowski called the meeting to order at 5:05 PM at the Tiverton Community Center, 346 Judson Street.

I. Public Delegations

There were no public delegations.

II. Administrative Matters

• Approval of Minutes

Mr. Webster made a motion to approve the minutes of the 14 February 2007 regular meeting with the following correction:

Mr. Merriman stated that Mr. W. Randall was his official substitute (as the Neighborhood Representative) rather than just a member of the public. This should be so noted in the minutes.

The motion was seconded by Chairman Ramotowski.

VOTE: Motion passed 3-0-2 (Mr. Cook and Mr. Merriman abstained; Mr. Steckman was not yet present).

• Miscellaneous Correspondence

There was no miscellaneous correspondence.

III. Removal and Ultimate Disposition of Sand from Fogland Point Road

Mr. Webster reported that the CRMC had issued the Town of Tiverton a "Maintenance Assent" for the removal of sand from the paved roadway (Three Rod Highway) at

Fogland. The assent (M2007-02-040) was dated February 28, 2007 and lasts for ten years. Mr. Webster distributed copies of the assent to the members of the Oversight Committee.

Mr. Steckman arrived at this time.

The assent requires that no beach or dune vegetation be disturbed by the removal or deposition of the sand. All activity must take place above the mean high tide line. The sand removed from the roadway may be re-deposited on the beach as long as it is free of trash, rubble and debris; also the slope of the beach may not be increased beyond 10%.

Mr. Merriman noted that the assent requires that the a copy of the assent be present at Fogland Beach “during construction.” Mr. Merriman asked where the copy of the assent would be kept. Mr. Webster replied that a copy would be kept in the truck that will be at the location when the work is performed.

IV Committee Member Reports

- **Town Administrator**

Mr. Steckman reported that the \$15,000.00 line item for the map/survey for Fogland was still in the 2007-2008 Town Budget. The budget will soon be going to the Town Meeting for voter approval.

- **Director of Public Works**

Mr. Webster stated a sign was erected by the DPW at the point on the unpaved road that leads to the “windsurfer beach” where large puddles/potholes presently exist. The wording of the sign is different from what had been proposed at the last meeting – the sign actually reads, “Rough road ahead”.

Mr. Webster noted that older plans for that particular area of Fogland Point appear to show the road going straight to the water, but the road in its present configuration curves to the right. This may be akin to the Shore Road situation where the road is not in the correct location. Only a detailed survey will tell for sure.

- **Recreation Commission**

Mr. Cook reported that the Recreation Commission is still waiting to hear from the Town Solicitor regarding the final version of the wording on the “rules and regulations” for Fogland sign. The sign will be posted on the side of the attendant’s shack. Mr. Merriman asked what material the sign would be made from. Mr. Cook replied that it would be made from wood, attached to a frame, and then mounted on the wall of the attendant’s shack. This type of sign should last 10-15 years under normal conditions.

Chairman Ramotowski asked if the “take out what you bring in” rule for trash and garbage would be in effect again this year at Fogland Beach. Mr. Cook stated that it would be, and that the Recreation Commission will be hiring an individual (an adult) to pick up stray litter at Fogland on a regular basis during the summer season.

Mr. Merriman asked if the sign was going to read “no camping” period. Mr. Cook stated that the proposed language was still “no overnight camping.” Mr. Steckman noted that all of the wording for the sign was still being reviewed by the Town Solicitor to make sure that it is consistent with Town ordinances. The Solicitor has indicated that the older legal opinion on the status of camping may not be correct.

- **Conservation Commission**

There was no report.

- **Open Space Commission**

Mr. Van Hof noted that concern had been expressed about invasive plant species at Fogland. The Open Space Commission has received grants in the past to remove some invasive species. Mr. Ramotowski stated that the Oversight Committee had applied for a grant to remove the oriental bittersweet, but that grant had not been approved. As for the phragmites, there are differences of opinion on whether or not it should be eradicated – the CRMC seems to like it, while Save the Bay does not.

- **Harbor Commission**

There was no report.

- **Neighborhood Representative:**

Mr. Merriman asked Mr. Steckman for his opinion of the role of the Oversight Committee. Mr. Steckman replied that the Committee could be very helpful as a vehicle through which the various boards and commissions with responsibility for Fogland could communicate regularly with each other. There may be some overlapping responsibilities, but those are also best worked out via talking to one another. Progress is being made – the sign with the rules and regulations will be in place soon, thereby enabling better enforcement, and the Town is trying to obtain funding for the survey, and to help get grant money for improving its recreational facilities.

Mr. Merriman stated that he was still waiting to see the list of Fogland rules and regulations that the Committee had requested some time ago. Mr. Steckman stated that the rules and regulations sign should be in place before the beach season begins. It just has to pass the final legal review. Chairman Ramotowski pointed out that the Oversight Committee had received a legal opinion from the prior Town Solicitor that the posting of regulations was not necessary for enforcement. Mr. Steckman stated that Atty. Teitz feels the rules should be posted. Mr. Merriman asked if the police were aware of all of

the rules and regulations for Fogland Beach. Mr. Steckman stated that the police were responsible for the enforcement of all Town ordinances.

Mr. Merriman asked Mr. Steckman for his view of the future. Mr. Van Hof stated that the most important thing was to get the survey done and the management plan in place. Mr. Steckman agreed and stated that he was working very hard to keep the funding for the survey in the budget for next year. Mr. Steckman stated that it was very important for each board or commission in Town to have a goal to work towards, and the survey and long term management plan for Fogland were worthwhile goals for the Oversight Committee. Ms. Elder stated that the playground should be relocated for safety reasons. Chairman Ramotowski stated that the ultimate location of the playground was one of many topics that the long-term management plan should address.

V. Progress Towards Common Goals

• Detailed Map/Survey of Town-Owned Property at Fogland

➤ FY 06-07 Budget Request

Chairman Ramotowski noted that, as previously stated by Mr. Steckman, the funding for the survey was still in the budget request for next year.

• Long-Term Management Plan for Fogland Beach

Chairman Ramotowski noted that progress on this item depended upon the completion of the survey. Hopefully, there will be good news to report in that department at the time of the Oversight Committee's next meeting in June.

VI. Adjournment

There being no further business to discuss, the April 25, 2007 meeting of the Fogland Oversight Committee adjourned at 5:50 PM.

These minutes were prepared by T. Ramotowski.